

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

APR 23 2012

JULIA C. DUDLEY, CLERK
BY: *J. C. Dudley*
DEPUTY CLERK

UNITED STATES OF AMERICA,) CASE NO. 7:07CR00007-002

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VS.

) **FINAL ORDER**

CHALIN B. MORGAN

By: James C. Turk

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Defendant.

Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is

DISMISSED as untimely filed, and this action is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 23rd day of April, 2012.

James L. Bush
Senior United States District Judge